

UNITED STATES BANKRUPTCY COURT District of New Jersey
Albert Russo Cn 4853 Trenton, NJ 08650 (609) 587-6888 Standing Chapter 13 Trustee
In re: Annette Volpetti Debtor(s)



Order Filed on March 26, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-31904 / CMG

Hearing Date: 03/20/2019

Judge: Christine M. Gravelle

Chapter: 13

ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: March 26, 2019


Honorable Christine M. Gravelle
United States Bankruptcy Judge

The plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the plan of the above named debtor, dated 11/16/2018, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$200.00 for 60 months beginning 12/1/18

ORDERED that the case is confirmed with a calculated plan funding of \$12,000.00. General unsecured creditors are scheduled to receive a pro-rata dividend of funds available.

ORDERED that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that the Pre-Confirmation Certification of Compliance must be filed by 4/4/19.

ORDERED that the debtor(s) must obtain a loan modification by 5/31/19 or as extended by Loss Mitigation Order.

- Creditor BAYVIEW LOAN SERVICING, PACER claim #5-1, will be paid outside of the Chapter 13 Plan.

ORDERED that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor, pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf of the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor and file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan.

ORDERED as follows:

SECTIONS 4(d) AND 7(b) ARE STRICKEN FROM THE PLAN. ATTORNEY MUST FILE A SEPARATE MOTIONS WITHIN 30 DAYS OF CONFIRMATION.

ATTORNEY TO FILE A FEE APPLICATION IN THE AMOUNT OF \$2000 WITHIN 7 DAYS AFTER CONFIRMATION ORDER IS ENTERED.

IN ADDITION, DEBTOR MUST SUBMIT THE FOLLOWING MISSING DOCUMENTS TO TRUSTEE WITHIN 30 DAYS: BANK STATEMENTS FOR EMIGRANT BANK, BANK OF AMERICA CHECKING AND SAVINGS ACCOUNTS FOR PERIOD 60 DAYS PRIOR TO FILING, AND PROOF OF DSO INCOME IN THE AMOUNT OF \$1500 PER SCHEDULE I.

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Annette Volpetti
Debtor

Case No. 18-31904-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 26, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 28, 2019.

db Annette Volpetti, 11 Rita Dr, Howell, NJ 07731-2267

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 28, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 26, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor BAYVIEW LOAN SERVICING, LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Kevin Gordon McDonald on behalf of Creditor BAYVIEW LOAN SERVICING, LLC
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Marc C Capone on behalf of Debtor Annette Volpetti 5325@notices.nextchapterbk.com,
docs@caponeandkeefe.com,ecf@gbclawgroup.com/e4eaf5f23@maildrop.clio.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5